

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

PHILLIP TURNER	§	
Plaintiff,	§	
	§	
v.	§	
	§	CIVIL ACTION NO. 1:16-cv-1134-RP
OFFICER SHURLEY BADGE NO. 4895,	§	
OFFICER SMITH BADGE NO. 6981,	§	
OFFICER ROEDIGER BADGE NO. 6173,	§	
and OFFICER TRIPP BADGE NO. 4765,	§	
Defendants.	§	

JOINT MOTION TO DISMISS WITH PREJUDICE

TO THE HONORABLE JUDGE OF SAID COURT:

Pursuant to Federal Rule of Civil Procedure 41 (a), Plaintiff Phillip Turner and Defendants, Officer Shurley, Officer Smith, Officer Roediger, and Officer Tripp file this Joint Motion To Dismiss With Prejudice.

1. On October 11, 2016, Plaintiff sued Defendants alleging civil rights violations, Civil Action No. 1:16-cv-1134-RP.
2. Plaintiff moves to dismiss all of his claims in the above-captioned lawsuit against all Defendants.
3. All Defendants agree to the dismissal.
4. This case is not a class action.
5. A receiver has not been appointed in this action.
6. All court costs and attorney fees shall be taxed to the party incurring same.
7. This dismissal is WITH PREJUDICE.

The Parties respectfully request that the Court grant their Joint Motion To Dismiss and any and all other relief to which they may be entitled.

Respectfully submitted,

ATTORNEY FOR PLAINTIFF

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CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2017, the foregoing Joint Motion To Dismiss With Prejudice was electronically filed with the Clerk of the Court using the CM/ECF system which will automatically serve a copy on the attorneys of record.

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By: /s/ Kervyn B. Altaffer, Jr.